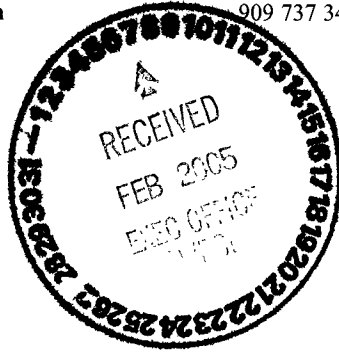


2/3/05

cc: BD, DI, DWQ

e-cys: BD, CC, HMS, TH, CMW



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January 31, 2005

RE: Reissuance of NPDES General Industrial Stormwater Permit

I have reviewed the draft of the proposed updated General Industrial Permit for Stormwater and would like to offer the following comments:

1. Page 12 discusses good housekeeping as one of the minimum BMPs to be implemented. It further states that "dischargers shall inspect...perimeter areas impacted by off-facility materials or stormwater run-on to determine housekeeping needs."

It appears that the intention is that facility operators are responsible for inspection and clean up of remote areas that may be the result of poor housekeeping by another facility that may or may not be required to comply with this permit, or due to other non-industrial off-site reasons. For large facilities this may not be feasible. For example, in a facility with several hundred or more acres, particularly when a large portion of that facility is buffer and is not used for industrial activities, inspecting perimeter areas may not be possible due to both size and access issues.

2. Spill Response Procedures on page 13 require identification and training of appropriate spill response personnel. The feasibility for this may vary greatly, depending on the type of facility, type of materials potentially spilled, and number of employees. Because of the strict requirements for spill clean up personnel under the HAZWOPER regulations (29 CFR 1910.120), many facilities are limited to only the most basic on-site spill response activities and must rely on off-site responders to handle many emergencies. Most facilities simply do not have the manpower and expertise to handle the training required at the HAZWOPER level, and as such, spill response teams and training must be limited largely to spills of non-hazardous materials and very small spills of hazardous materials only when they can be considered to be expected as part of normal day to day operations.
3. Material Handling/Waste Management Procedures on page 13 requires facilities to "cover waste disposal containers when not in use." Many facilities use full size roll off bins (typically 30 cubic feet) that either do not have covers or when they do, the facility does not have the equipment to manipulate the opening and closing of them. Covering these containers may not be possible from an engineering and/or employee safety standpoint.